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REMARKS

Claims 1-8, 11 and 13-27 are pending in this application. Claims 9, 10 and 12 have been canceled and claim 1 amended to incorporate the limitations of former claim 12. Claim 26 has been amended to specify that the deposited CDO film has a carbon-carbon triple bond to silicon oxide bond area ratio of about 0.3% to 7% based on FTIR peak area. This is supported at least in paragraph 23. Claims 34 and 35 have been canceled.

Applicants respectfully request entry of these amendments as they add no new issues and simplify issues for resolution.

35 U.S.C. § 112 Rejections

Claims 34 and 35 are rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. As indicated above, claims 34 and 35 have been canceled, obviating the rejections, though Applicants believe that the cited terms are adequately supported in the specification, for example at paragraphs 31 and 33.

35 U.S.C. § 103 Rejections

All pending claims have been rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,797,643 to Rocha-Alvarez et al. ("Rocha-Alvarez"). The rejections to claims 34 and 35 have been obviated by the cancellation of these claims.

Claims 1-8, 11 and 13-22

Applicants have amended claim 1 to recite specific precursors having carbon-carbon triple bonds. In rejecting former claim 12, the Examiner contends that because Rocha-Alvarez disclose a variety of organosilicon compounds and that many compounds are interchangeable, it would have been obvious to utilize the claimed compounds with the expectation of obtaining similar results. Applicants respectfully disagree.

Applicants respectfully submit that the rejection does not provide any suggestion or motivation to modify Rocha-Alvarez in the manner the Examiner suggests, as is required to make a § 103 rejection (MPEP 2143.01). Nor can Applicants find any in Rocha-Alvarez. Applicants note that the reference does not teach or suggest any of the specific precursors

claimed, nor the advantages of using such compounds, i.e. a reduction in k-value. Applicants respectfully submit that a statement that "compounds are interchangeable" is not sufficient suggestion to modify the reference and absent a suggestion to interchange the compounds of Roche-Alvarez with the claimed compounds, a prima facie case of obviousness is not established.

For at least these reasons, Applicants submit that claim 1 and its dependent claims are patentable over the cited art, and request that the § 103 rejections be withdrawn.

Claim 8

In addition to the reasons given above for claim 1, Applicants submit that claim 8 is independently patentable over Rocha-Alvarez. Claim 8 requires forming a CDO film having carbon-carbon triple bonds on a substrate by contacting the substrate with a single CDO precursor containing carbon-carbon triple bonds. As explained in Applicant's specification, the single precursor provides all the necessary oxygen, silicon, and carbon, including the carbon-carbon triple bonds (paragraph 0098). This is not taught or suggested by the cited references. The CDO films of Rocha-Alvarez are formed by blending cyclic organosilicon precursors with the aliphatic precursors listed in col. 3. Thus the methods of Rocha-Alvarez require using a minimum of two precursors. There is no teaching or suggestion of using a single precursor containing carbon-carbon triple bonds to form a film containing carbon-carbon triple bonds.

Claims 23-27

Claim 23 has been amended to recite that the CDO film has a carbon-carbon triple bond to silicon oxide bond ratio of about 0.3% to 7% based on FTIR peak area. As discussed in Applicants' specification, CDO films having this range of FTIR peak area ratios have lower dielectric constant. Films having this range of carbon-carbon triple bond to silicon oxide bond peak area ratios are not taught or suggest by Rocha-Alvarez. Nor does Rocha-Alvarez teach or suggest any method of obtaining such films.

For at least this reason, Applicants submit that claim 23 is patentable over the cited art as are dependent claims 24-27 and request that the § 103 rejections be withdrawn.

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Double Patenting

Claims 1-27 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-33 of copending application No. 10/789,103 and over claims 1-32 of copending application No. 10/820,525. Applicants propose to file terminal disclaimers when and if any of these claims are otherwise indicated allowable.

Conclusion

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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